

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KHALAIRE ALLAH,

Plaintiff,

-against-

DAVID S. DINELLO, et al.,

Defendants.

No. 23-CV-3286 (LAP)

ORDER

LORETTA A. PRESKA, Senior United States District Judge:

The Court is in receipt of Plaintiffs' letter motion requesting an extension of time for briefing the pending summary judgment motions and for the parties to adopt certain protocols for future summary judgment motions in the above-captioned action and the related actions listed below (dkt. no. 189), the Non-State Represented Defendants' ("NSRDs") letter response (dkt. no. 190), and the State Represented Defendants' ("SRDs") letter response (dkt. no. 191).

Plaintiffs' request for an extension of time to file oppositions and replies in the Tranche I cases is GRANTED. The deadlines shall be those proposed by the parties as follows:

Group 1: Oppositions July 23, 2025; Replies September 5, 2025;

Group 2: Oppositions August 18, 2025; Replies September 15, 2025;

Group 3: Oppositions August 10, 2025; Replies September 25, 2025;

Group 4: Oppositions September 8, 2025; Replies October 6, 2025.

While the Court appreciates Plaintiffs' counsel's efforts to preserve judicial resources, Plaintiffs' request to adopt various protocols for future summary judgment motions is DENIED. Given the present summary judgment posture of these cases and each Plaintiff's highly specific set of factual circumstances, pre-motion letters outlining Defendants' bases for summary judgment would be unlikely to streamline briefing on the motions. Likewise, Plaintiffs' counsel's suggestion that the parties agree to a complete set of medical records prior to motion practice risks imposing constraints on the facts that Defendants may present to the Court in support of their summary judgment motions. The Court does, however, encourage counsel for Defendants to describe to Plaintiffs' counsel the basis for the contemplated motions and for Plaintiffs' counsel to investigate the articulated grounds in the hope of eliminating the need for some motions.


The Clerk of the Court shall docket this order in the above-captioned action and each of the cases listed below, and shall close the open docket numbers that correspond with the letter filed on June 10, 2025.

1. Alston v. Mueller, 23-cv-3290
2. Bernard v. Dinello, 23-cv-3323
3. Crichlow v. Dinello, 23-cv-3386
4. Dunbar v. Hammer, 23-cv-3391
5. Feola v. Mueller, 23-cv-3393
6. Frateschi v. Hammer, 23-cv-3394
7. Hale v. Mueller, 23-cv-3396
8. Jacks v. Mueller, 23-cv-3288
9. Jacobs v. Mueller, 23-cv-3606
10. Locenitt v. Dinello, 23-cv-3399
11. Miller v. Hammer, 23-cv-3462
12. Oleman v. Hammer, 23-cv-3607
13. Perez v. Dinello, 23-cv-3300
14. Batista-Cruz, as administratrix of the Estate of Roderick Reyes v. Dinello, 23-cv-3315
15. Rivera v. Hammer, 23-cv-3700
16. Rosado v. Mueller, 23-cv-3718
17. VanGuilder v. Mueller, 23-cv-3398
18. Wilkerson v. Hammer, 23-cv-3397
19. Williams v. Dinello, 23-cv-3608

20. Diggs v. Dinello, 23-cv-7149
21. Farrell v. Silver, 23-cv-9488
22. Lorandos v. Mueller, 23-cv-7369
23. Pine v. Hammer, 23-cv-7148
24. Rhodes v. Hammer, 23-cv-9490
25. Windley v. Hammer, 23-cv-7151

SO ORDERED.

Dated: June 18, 2025
New York, New York

A handwritten signature in black ink, reading "Loretta A. Preska". The signature is written in a cursive, flowing style.

LORETTA A. PRESKA
Senior United States District Judge